

# **EXHIBIT D**

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Ventures, Inc. and Steve Vachani

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC.,

Plaintiff,

-against-

POWER VENTURES, INC. d/b/a POWER.COM, a  
California corporation; POWER VENTURES, INC.  
a Cayman Island Corporation, STEVE VACHANI,  
an individual; DOE 1, d/b/a POWER.COM, an  
individual and/or business entity of unknown nature;  
DOES 2 through 25, inclusive, individuals and/or  
business entities of unknown nature,

Defendants.

Case No. 5:08-cv-05780 JW

**DEFENDANT POWER VENTURES,  
INC.'S RESPONSES TO  
FACEBOOK, INC.'S SECOND SET  
OF REQUESTS FOR PRODUCTION**

**GENERAL OBJECTIONS**

In addition to those objections set forth specifically within the response to each document request, Power interposes the following general objections to the entire set of document requests, and to each individual document request thereof, which general objections are incorporated by reference in each and every response to each specific document request. Power's failure to repeat expressly these general objections in each response shall not be deemed a waiver thereof. Moreover, Power's specification of one or more objections in any given response is not intended to preclude the applicability of any of these general objections. The assertion of any objection to a document request in any response below is neither intended as, nor shall in any way be deemed, a waiver of Power's right to assert that or any other objection at a later date. Power's general objections are as follows:

1. Power objects to the document requests on the ground that the document requests, individually and taken as a whole, are overly broad, unduly burdensome, oppressive and seek to impose broader response obligations on Power than those imposed by the Federal Rules of Civil Procedure. In addition, Power objects to the extent that the documents and information sought by the requests are equally available to plaintiff.

2. Power objects to the document requests on the ground and to the extent they seek documents and information that are not relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.

3. Power objects to the document requests on the ground that they call for the disclosure of communications that are protected by the attorney-client privilege, the attorney work product doctrine, or any other applicable privilege.

4. Power objects to the document requests to the extent they request documents and information by reference to purported facts that Power disputes and/or which have not been established in this case. Power has advanced certain positions of law and fact. Power's statements of law and fact are a matter of record and are not subject to recharacterization by plaintiff.

5. Power objects to the document requests to the extent they seek documents and information that can only be provided, or will or should be provided at trial by persons qualified as experts in their fields. Power expressly reserves the right to call such persons to testify at trial without waiver of the right to protect the identities of persons who it has consulted in the course of this litigation for purposes of expert advice.

6. Power objects to the “INSTRUCTIONS” to the extent that they impose obligations on Power in excess of those set forth in the Federal Rules of Civil Procedure and the Court’s Local Rules.

7. Power objects to the definitions of the terms “POWER,” “YOU” and “YOUR” to the extent they seek to require Power to produce documents that are not in its possession, custody or control. Power responds to the requests based solely on the documents and information in its possession.

### **REQUESTS FOR PRODUCTION**

#### **REQUEST FOR PRODUCTION NO. 51:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute POWER'S current OR previous document retention protocols, policies, OR procedures.

#### **RESPONSE TO REQUEST FOR PRODUCTION NO. 51:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

#### **REQUEST FOR PRODUCTION NO. 52:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute POWER'S current OR previous document collection protocols, policies, OR procedures.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 53:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to POWER's search for, collection, and production of documents in the above-titled litigation.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 54:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to POWER's disposal and/or destruction of documents relevant to the above-titled litigation.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 55:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute POWER'S marketing OR advertising efforts OR campaigns.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 56:**

ALL DOCUMENTS AND COMMUNICATIONS that summarize, describe, refer to, relate to, OR constitute ANY contract(s) or agreement(s) between POWER and third-party advertisers.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 57:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS with the California Secretary of State about POWER.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence.

1 The request also calls for documents protected from disclosure by the attorney-client privilege and  
 2 work product doctrine. Based on the foregoing objections, Power will not produce any documents  
 3 in response to this request.

4 **REQUEST FOR PRODUCTION NO. 58:**

5 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
 6 COMMUNICATIONS with the Cayman Island's Registrar of Companies about POWER.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

8 Power hereby incorporates the General Objections above as if fully stated herein. Power  
 9 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
 10 subject matter of this action and not calculated to lead to the discovery of admissible evidence.

11 The request also calls for documents protected from disclosure by the attorney-client privilege and  
 12 work product doctrine. Based on the foregoing objections, Power will not produce any documents  
 13 in response to this request.

14 **REQUEST FOR PRODUCTION NO. 59:**

15 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
 16 COMMUNICATIONS about the sale of the Power.com domain name.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

18 Power hereby incorporates the General Objections above as if fully stated herein. Power  
 19 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
 20 subject matter of this action and not calculated to lead to the discovery of admissible evidence.

21 The request also calls for documents protected from disclosure by the attorney-client privilege and  
 22 work product doctrine. Based on the foregoing objections, Power will not produce any documents  
 23 in response to this request.

24 **REQUEST FOR PRODUCTION NO. 60:**

25 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute registration  
 26 of the Power.com domain name.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 61:**

ALL DOCUMENTS that that summarize, describe, refer to, OR relate to the registration of POWER as a corporation in ANY state, country, or other territory, without limitation.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 61:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 62:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to YOUR COMMUNICATIONS with FACEBOOK, including YOUR COMMUNICATION with Joseph Cutler.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 62:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. Power also objects on the grounds that the documents sought are equally available to Facebook as they are to Power. The request also calls for documents protected from disclosure by the attorney-



client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 63:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to POWER's business decision to not prevent the interruption of service to POWER USERS while making changes to address Facebook's concerns, as Steve Vachani described in his December 26, 2008 letter to Joseph Cutler.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 63:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 64:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to the "user experience," referred to in Steve Vachani's December 25, 2008 email to Eric Santos and Bruno Carvalho, produced at POWER 2011.02.03 000086.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 64:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 65:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to Steve Vachani's statement that POWER "need[ed] to be prepared for Facebook to try to block" Power.com, as written in Steve Vachani's December 1, 2008 email to Felipe Herrera and Eric Santos, produced at POWER 2011.02.03 000089-90.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 65:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 66:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to the statement in Steve Vachani's May 6, 2011, Declaration that "Facebook's IP blocking attack was partial, incomplete, and ineffective."

**RESPONSE TO REQUEST FOR PRODUCTION NO. 66:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. Power also objects on the grounds that the documents sought are equally available to Facebook as they are to Power. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 67:**

ALL COMMUNICATIONS between YOU and Roy Schwartz that describe, refer to OR relate to POWER.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 67:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 68:**

ALL DOCUMENTS that that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Steve Vachani about POWER's access to the FACEBOOK WEBSITE.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 68:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 69:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Eric Santos about POWER's access to the FACEBOOK WEBSITE.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 69:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 70:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Leigh Power about POWER's access to the FACEBOOK WEBSITE.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 70:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 71:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Bruno Carvalho about POWER's access to the FACEBOOK WEBSITE.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 71:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and

work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 72:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Tyago Valenca about POWER's access to the FACEBOOK WEBSITE.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 72:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 73:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Felipe Herrera about POWER's access to the FACEBOOK WEBSITE.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 73:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 74:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Steve Vachani about POWER's use OR sale of DATA

1 OR information obtained from the FACEBOOK WEBSITE.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 74:**

3 Power hereby incorporates the General Objections above as if fully stated herein. Power  
4 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
5 subject matter of this action and not calculated to lead to the discovery of admissible evidence.  
6 The request also calls for documents protected from disclosure by the attorney-client privilege and  
7 work product doctrine. Subject to and without waiving these objections, Power responds that it  
8 will conduct a reasonable search for non-privileged documents responsive to this request.

9 **REQUEST FOR PRODUCTION NO. 75:**

10 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
11 COMMUNICATIONS between YOU and Eric Santos about POWER's use OR sale of DATA  
12 OR information obtained from the FACEBOOK WEBSITE.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 75:**

14 Power hereby incorporates the General Objections above as if fully stated herein. Power  
15 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
16 subject matter of this action and not calculated to lead to the discovery of admissible evidence.  
17 The request also calls for documents protected from disclosure by the attorney-client privilege and  
18 work product doctrine. Subject to and without waiving these objections, Power responds that it  
19 will conduct a reasonable search for non-privileged documents responsive to this request.

20 **REQUEST FOR PRODUCTION NO. 76:**

21 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
22 COMMUNICATIONS between YOU and Leigh Power about POWER's use OR sale of DATA  
23 OR information obtained from the FACEBOOK WEBSITE.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 76:**

25 Power hereby incorporates the General Objections above as if fully stated herein. Power  
26 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
27 subject matter of this action and not calculated to lead to the discovery of admissible evidence.  
28

1 The request also calls for documents protected from disclosure by the attorney-client privilege and  
2 work product doctrine. Subject to and without waiving these objections, Power responds that it  
3 will conduct a reasonable search for non-privileged documents responsive to this request.

4 **REQUEST FOR PRODUCTION NO. 77:**

5 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
6 COMMUNICATIONS between YOU and Bruno Carvalho about POWER's use OR sale of  
7 DATA OR information obtained from the FACEBOOK WEBSITE.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 77:**

9 Power hereby incorporates the General Objections above as if fully stated herein. Power  
10 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
11 subject matter of this action and not calculated to lead to the discovery of admissible evidence.  
12 The request also calls for documents protected from disclosure by the attorney-client privilege and  
13 work product doctrine. Subject to and without waiving these objections, Power responds that it  
14 will conduct a reasonable search for non-privileged documents responsive to this request.

15 **REQUEST FOR PRODUCTION NO. 78:**

16 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
17 COMMUNICATIONS between YOU and Tyago Valenca about POWER's use OR sale of  
18 DATA OR information obtained from the FACEBOOK WEBSITE.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 78:**

20 Power hereby incorporates the General Objections above as if fully stated herein. Power  
21 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
22 subject matter of this action and not calculated to lead to the discovery of admissible evidence.  
23 The request also calls for documents protected from disclosure by the attorney-client privilege and  
24 work product doctrine. Subject to and without waiving these objections, Power responds that it  
25 will conduct a reasonable search for non-privileged documents responsive to this request.

26 **REQUEST FOR PRODUCTION NO. 79:**

27 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
28

1 COMMUNICATIONS between YOU and Felipe Herrera about POWER's use OR sale of DATA  
 2 OR information obtained from the FACEBOOK WEBSITE.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 79:**

4 Power hereby incorporates the General Objections above as if fully stated herein. Power  
 5 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
 6 subject matter of this action and not calculated to lead to the discovery of admissible evidence.  
 7 The request also calls for documents protected from disclosure by the attorney-client privilege and  
 8 work product doctrine. Subject to and without waiving these objections, Power responds that it  
 9 will conduct a reasonable search for non-privileged documents responsive to this request.

10 **REQUEST FOR PRODUCTION NO. 80:**

11 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
 12 COMMUNICATIONS between YOU and Steve Vachani about any potential business  
 13 relationship between YOU and FACEBOOK.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 80:**

15 Power hereby incorporates the General Objections above as if fully stated herein. Power  
 16 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
 17 subject matter of this action and not calculated to lead to the discovery of admissible evidence.  
 18 The request also calls for documents protected from disclosure by the attorney-client privilege and  
 19 work product doctrine. Subject to and without waiving these objections, Power responds that it  
 20 will conduct a reasonable search for non-privileged documents responsive to this request.

21 **REQUEST FOR PRODUCTION NO. 81:**

22 ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute  
 23 COMMUNICATIONS between YOU and Eric Santos about any potential business relationship  
 24 between YOU and FACEBOOK.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 81:**

26 Power hereby incorporates the General Objections above as if fully stated herein. Power  
 27 objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the  
 28



subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 82:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Bruno Carvalho about any potential business relationship between YOU and FACEBOOK.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 82:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 83:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Tyago Valenca about any potential business relationship between YOU and FACEBOOK.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 83:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 84:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Felipe Herrera about any potential business relationship between YOU and FACEBOOK.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 84:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 85:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and Leigh Power about any potential business relationship between YOU and FACEBOOK.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 85:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 86:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute COMMUNICATIONS between YOU and ANY investors OR potential investors in POWER.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 86:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 87:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute ANY business plans, strategic plans, sales plans, OR other planning DOCUMENT for POWER.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 87:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Based on the foregoing objections, Power will not produce any documents in response to this request.

**REQUEST FOR PRODUCTION NO. 88:**

ALL DOCUMENTS that summarize, describe, refer to, OR relate to data extraction as described in the Power.com Developer Manual, POWER 2011.02.03.000007.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 88:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

**REQUEST FOR PRODUCTION NO. 89:**

ALL DOCUMENTS that summarize, describe, refer to, relate to, OR constitute PowerScript, as the term is used in POWER 2011.02.03.000004-22.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 89:**

Power hereby incorporates the General Objections above as if fully stated herein. Power objects to this request as vague, ambiguous, overbroad and unduly burdensome, not relevant to the subject matter of this action and not calculated to lead to the discovery of admissible evidence. The request also calls for documents protected from disclosure by the attorney-client privilege and work product doctrine. Subject to and without waiving these objections, Power responds that it will conduct a reasonable search for non-privileged documents responsive to this request.

Dated: July 5, 2011

BURSOR & FISHER, P.A.

By \_\_\_\_\_/s/\_\_\_\_\_  
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Attorneys for Defendants Power  
Ventures, Inc. and Steve Vachani

**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Bursor & Fisher, P.A. 2121 North California Blvd., Suite 1010, Walnut Creek, CA 94596. On July 5, 2011, I served the following document:

**DEFENDANT POWER VENTURES, INC.'S RESPONSES TO FACEBOOK, INC.'S SECOND SET OF REQUESTS FOR PRODUCTION**

- ☒ by placing a copy of the document(s) listed above for collection and mailing following the firm's ordinary business practice in a sealed envelope with postage thereon fully prepaid for deposit in the United States mail at Walnut Creek, California addressed as set forth below.
- ☒ by pdf transmission. These documents were transmitted via e-mail to the following e-mail addresses as set forth below.

I. Neel Chatterjee  
Theresa Sutton  
Morvarid Metanat  
Amy Dalton  
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct, executed on July 5, 2011, at Walnut Creek, California.



\_\_\_\_\_  
L. Timothy Fisher